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ATTEST

By Darion Payne on Apr 27, 2010

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

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JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Apr 12, 2010

FILED
CLERK'S OFFICE

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: HEARTLAND PAYMENT SYSTEMS, INC.,
CUSTOMER DATA SECURITY BREACH
LITIGATION**

Omniamerican Bank v. Heartland Payment Systems, Inc.,)	
E.D. Texas, C.A. No. 4:10-114)	MDL No. 2046
Quad City Bank & Trust Bank v. Heartland Payment)	
Systems, Inc., E.D. Texas, C.A. No. 4:10-115)	

CONDITIONAL TRANSFER ORDER (CTO-3)

On June 10, 2009, the Panel transferred 17 civil actions to the United States District Court for the Southern District of Texas for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 626 F.Supp.2d 1336 (J.P.M.L. 2009). Since that time, four additional actions have been transferred to the Southern District of Texas. With the consent of that court, all such actions have been assigned to the Honorable Lee H. Rosenthal.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of Texas and assigned to Judge Rosenthal.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of Texas for the reasons stated in the order of June 10, 2009, and, with the consent of that court, assigned to the Honorable Lee H. Rosenthal.


This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of Texas. The transmittal of this order to said Clerk shall be stayed 14 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 14-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Apr 27, 2010

CLERK'S OFFICE
UNITED STATES
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FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel